



General Assembly

February Session, 2014

Raised Bill No. 5256

LCO No. 1082



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING THE COMPENSATION OF WORKERS ON
FAMILY HOLIDAYS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For purposes of this
2 section:

3 (1) "Employer" means any owner or any person, partnership,
4 corporation, limited liability company or association of persons acting
5 directly as, or on behalf of, or in the interest of an employer in relation
6 to not less than five employees, including the state and any political
7 subdivision thereof;

8 (2) "Family holiday" means Thanksgiving Day or Christmas Day;
9 and

10 (3) "Retail business" means any for-profit or not-for-profit business
11 having a fixed, permanent location the principal activity of which is
12 exhibiting or offering for sale goods, wares or merchandise on a
13 continuous basis.

14 (b) Each employer operating a retail business shall compensate each
 15 employee who works for such retail business on a family holiday by
 16 (1) paying the employee at a rate equal to two and one-half times the
 17 normal hourly rate based on the employee's annual salary for the
 18 duration of time the employee works for such retail business on the
 19 family holiday, or (2) (A) paying the employee at a rate equal to one
 20 and one-half times the normal hourly rate based on the employee's
 21 annual salary for the duration of time the employee works for such
 22 retail business on the family holiday, and (B) granting such employee
 23 future paid leave at a rate equal to the normal hourly rate based on the
 24 employee's annual salary for the duration of time the employee
 25 worked for such retail business on the family holiday.

26 (b) Any employee aggrieved by a violation of the provisions of this
 27 section may file a complaint with the Labor Commissioner. Upon
 28 receipt of any such complaint, said commissioner may hold a hearing.
 29 After the hearing, any employer who is found by the Labor
 30 Commissioner, by a preponderance of the evidence, to have violated
 31 the provisions of this section shall be liable to the Labor Department
 32 for a civil penalty of up to one hundred dollars for each violation. The
 33 Labor Commissioner may award the employee all appropriate relief,
 34 including the payment of back wages, to which the employee
 35 otherwise would have been eligible. Any party aggrieved by the
 36 decision of the commissioner may appeal the decision to the Superior
 37 Court in accordance with the provisions of chapter 54 of the general
 38 statutes.

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| This act shall take effect as follows and shall amend the following sections: | | |
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| Section 1 | <i>October 1, 2014</i> | New section |
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Statement of Purpose:

To duly compensate certain retail employees who are required by their employers to work on family holidays.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]